

Town of Nolensville
Board of Mayor and Aldermen Special Meeting
Date: June 17, 2008, Time 1:00 p.m.
Nolensville Town Hall

Mayor Lothers opened the meeting at 1:04 p.m. Members present were Aldermen Jimmy Alexander, Tommy Dugger and Ken Thomas. Alderman Joe Curtsinger was absent. Staff present: Town Planner Henry Laird, Town Engineer Don Swartz, and Recorder Cindy Lancaster. Consultant present was Bobby Garland and John Farmer with Florence and Hutcheson. Mountain States was present with representatives Keith Swafford and Kevin Hinson. There were 6 citizens present. Alderman Ken Thomas led the Prayer and Pledge.

Mayor Lothers introduced Bobby Garland with Florence and Hutcheson in addition to Mountain States Contractors. She noted that at the last meeting the Town did not have the final cost estimates to assist in making a decision in regards to the Rocky Fork Road realignment. She asked Town Engineer Don Swartz to bring the Board up to date. He noted that TDEC stated that a design pipe system must be installed. He stated that the Town agreed to design this due to the overflow. Mr. Swartz noted that the cost would be just below \$100,000 to construct this.

Mayor Lothers gave the Board a timeline describing the chain of events that have occurred with TDEC. She noted that following the receipt of the Notice of Violation on March 25, 2008, a meeting was scheduled with TDEC at their headquarters on April 2, 2008. Currently the attorneys are reviewing the Consent Order. Mayor Lothers stated that the Town presented the Consent Order to Florence and Hutcheson for their comment and currently the TDEC attorney is reviewing the consent order with the requested changes. Mayor Lothers stated that the town had presented the consent order to Florence and Hutcheson for their comments as well as our town attorney for review. Mayor Lothers asked that Florence and Hutcheson clarify the process whether the correction is done under enforcement or permitting requirements. Mr. Garland stated that normally you go under a permit situation. He stated that TDEC has General Permits for roads, and anything-over 200' can take 90 days to get permitted. Mr. Garland stated that currently you are looking at 90- to 120 days. He added that you must have a 30-day notice with the other issue being the consent order. He added that currently we are going into an agreed order, which will not delay this project an extended period of time. Mayor Lothers stated that the Town met all of the deadlines. This incident was a curve ball. She added that obviously we couldn't pull a permit for something that wasn't determined to exist beforehand.

Alderman Alexander stated that the Town's back is against the wall and it appears that we must do it. Alderman Thomas agreed. Mayor Lothers noted that the Town must keep a working relationship with TDEC. Alderman Dugger stated that he thinks it is an unfortunate circumstance that we have gotten stuck with. He stated that we should deal with it and move on. Mountain States noted that the road costs are increasing. He stated that it is understood that TDEC has changed their mind in other situations and he has seen this before.

Mayor Lothers addressed the funding of Rocky Fork Road realignment modifications due to the new interpretation by TDEC. The cost provided by Mountain States is \$99,869. Mayor Lothers stated that the board voted to move forward with the design to maintain ball field access to the east. Mountain States has provided a cost estimate of approximately \$81,000. Mr. Swartz clarified that the right of way purchase is not in the \$81,000, but less than \$10,000. Mayor

Lothers noted the design diagram was in the Nolensville Dispatch and she has received positive feedback about this access.

Alderman Alexander stated that he felt this is a project the Town needs to do. Alderman Thomas stated that this option is far more economical than the initial access option he was working on with the Mayor and Williamson County. Mayor Lothers noted that the only down side is that we cannot have pedestrian access to the park along this road. She added that a property owner is willing to possibly have a sidewalk through the Johnson Industrial Park to the Ball Park.

Alderman Dugger asked Mountain States for a timeline. Mountain States said once approval is given, we could get the pipe going. Mr. Garland asked Kevin with Mountain States if Town approves this today can you begin next week. Kevin stated that Mountain States should be able to be here at the end of next week.

Reading of resolution #08-04, a resolution to authorize the Mayor to enter into an agreement for changes to the Rocky Fork Road realignment project. Alderman Alexander made a motion to approve this resolution, Alderman Thomas seconded. With no discussion this resolution was approved unanimously.

Mayor Lothers noted that signalization is moving forward. Mr. Swartz stated that plans have been prepared and the Town will submit this to TDOT. Mayor Lothers noted that it was brought to her attention to possibly limit access to Old Clovercroft Road. She noted that this should be reviewed but not until signalization is completed. Alderman Dugger noted that he was not in favor of changing any of the traffic flow.

Mayor Lothers asked the Town Engineer about the possible road names and his opinion whether it would be confusing with the names Rocky Fork Road and Old Rocky Fork Road. Mr. Swartz stated that he did not know if it makes a lot of difference, although it may make more sense to call it Rocky Fork Road for continuity. Mayor Lothers noted that for visitors coming to the Park it might get confusing for an Old Rocky Fork and Rocky Fork Road but this could be considered at a later time.

The meeting adjourned at 1:32 p.m. by acclamation.

Respectfully submitted,

Approved,

Cindy Lancaster
Town Recorder

Beth Lothers
Mayor